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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,796	10/11/2001	Robert L. Peterson		7247

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EXAMINER

GELAGAY, SHEWAYE

ART UNIT PAPER NUMBER

2133

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/973,796

**Applicant(s)**

PETERSON, ROBERT L.

**Examiner**

Shewaye Gelagay

**Art Unit**

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/27/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. Claims 1-23 have been examined.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 14 recites the limitation "either the user identifier". The use of the word either suggests more than one input, however, only "the user identifier" is provided as input. Appropriate correction is required.

4. Claims 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 14-16 recite the limitation "suggestions". Applicant did not define the term "suggestion" distinctly in the claim or in the specification. The term "suggestions" has to be explicitly defined in both claims 19 and 20 so that there would not be any ambiguity.

5. Claims 19-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

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applicant regards as the invention. Claims 19-22 recite "a method" in the preamble, however, the independent claim 17 in which claims 19-22 depend on recite "a system".

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Chaganti et al. (hereinafter Chaganti) United States Letter Patent Number 6,845,448.

As per claim 17:

Chaganti teaches an encrypted medical records global access system comprising, a computer database, (Col. 2, lines 34-36) an output communicating with the database and the internet for real-time access of the database via the Internet, (Col. 3, lines 6-7) and data inputs and editing inputs connected to the database and connected to the Internet for inputting and editing data via the Internet from geographically dispersed locations. (Col. 8, lines 57-67)

As per claim 18:

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Chaganti teaches all the subject matter as discussed above. In addition, Chaganti further discloses a system comprising storing data in the database, wherein the data is stored as binary identifiers and retrievable as original data input by the individual. (Col. 2, lines 34-36)

As per claim 19:

Chaganti teaches all the subject matter as discussed above. In addition, Chaganti further discloses a system comprising storing data associated with particular values in all medical records, (Col. 2, lines 34-36) storing suggestions according to the particular data, (Col. 7, lines 11-20) comparing the individual's medical records with the data in the server and providing some of the stored suggestions to the individual when providing the individual's medical record. (Col. 2, lines 42-47; Col. 7, lines 58-59)

As per claim 20:

Chaganti teaches all the subject matter as discussed above. In addition, Chaganti further discloses a system comprising storing data comprising multiple medical records in the server, (Col. 2, lines 34-36) comparing the individual's medical record with the multiple medical records in the server and providing suggestions to the individual according to the comparing when providing the individual's medical record. (Col. 2, lines 42-47; Col. 7, lines 11-20 and 58-59)

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-5, 7-16 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti et al. (hereinafter Chaganti) United States Letter Patent Number 6,845,448 in view of Koo et al. (hereinafter Koo) United States Letter Patent Number 6,874,085.

As per claim 1:

Chaganti teaches a method of securing privacy while allowing immediate, universal real-time access to personal information comprising providing a server for storing user related personal information, (Figure 1, 100; Col. 3, line 4) providing real-time access to the server, (Col. 3, lines 6-7) enabling the user to input, edit, and to access stored information from anywhere, (Col. 8, lines 42-56) providing a user database for storing and retrieving user-encrypted unique identifier codes input by the user, (Col. 2, lines 34-36) providing stored information after verification of the user's unique identifier codes, (Col. 2, lines 42-47; Col. 7, lines 58-59) allowing the user to access, edit, input, view and retrieve personal information from any location as desired. (Col. 8, lines 57-67)

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Chaganti does not explicitly disclose linking the user related information with the user database.

Koo in analogous art, however, discloses linking the user related information with the user database. (Col. 7, lines 14-18)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Chaganti to include linking the user related information with the user database. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Koo (Col. 6, lines 39-44) in order to protect medical records by limiting access to users with proper identification code.

As per claim 2:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method wherein providing the user database comprises prompting a user to input a personal encryption code. (Col. 3, lines 13-18)

As per claim 3:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method comprising prompting the user to input a password. (Col. 6, lines 64-67 and Col. 7, lines 1-3)

As per claim 4:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Chaganti further discloses a method comprising assigning to the user a unique

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alphanumeric ID number. (Col. 9, lines 66-67)

As per claim 5:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Chaganti further discloses a method comprising assigning a unique server side identifier number for internal, server side use. (Col. 9, lines 49-50)

As per claim 7:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Chaganti further discloses a method comprising prompting the user to input data that is to be stored on the server for accessing on-line. (Col. 8, lines 42-56)

As per claim 8:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Chaganti further discloses a method comprising allowing the user to edit the input data to purge anything embarrassing and to remove anything identifying the user if made public. (Col. 8, lines 57-67)

As per claim 9:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method comprising encrypting data using a user-selected ID as the encryption key, and associating an encryption method corresponding to the encryption key. (Col. 2, lines 44-47; Col. 3, lines 13-25)

As per claim 10:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method comprising providing additional encryption using an



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additional encryption key generated by the server and associating an additional encryption method corresponding to the additional encryption key. (Col. 2, lines 47-55)

As per claim 11:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method comprising storing the initial and the additional encrypted data in a personal data database. (Col. 2, lines 66-67 and Col. 3, line 1)

As per claim 12:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method comprising creating a security database and linking the records in the encrypted personal datafile to the user only. (Col. 7, lines 14-18)

As per claim 13:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method comprising making a record in the security database corresponding to each record stored in the personal datafile, and storing in the made record the location of the personal data, the associated user identifiers input by the user. (Col. 6, lines 53-67 and Col. 7, lines 8)

As per claim 14:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a method comprising allowing access to and disclosing the information in the personal datafile upon presentation of either the user identifier input by the user. (Col. 6, lines 64-67 and Col. 7, lines 1-3)

As per claim 15:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Chaganti further discloses a method comprising enabling alteration of any of the personal information in the data file upon presentation of the user identifier in conjunction with presentation of the user password. (Col. 8, lines 57-59)

As per claim 16:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Chaganti further discloses a method comprising enabling alteration of the user identifiers upon presentation of the user identifier in conjunction with the password. (Col. 8, lines 57-59)

As per claim 21:

Chaganti teaches all the subject matter as discussed above. In addition, Chaganti further discloses a method comprising inputting unique encrypted identifiers relating to a particular individual in a personal database, (Col. 8, lines 57-67) inputting medical information data in an information database, (Col. 8, lines 42-56) providing access to the data via a global communications network, (Col. 3, lines 6-7) storing the information in the database, (Col. 2, lines 34-36) and providing global access to the individual for inputting, editing, deleting and transferring data as desired. (Col. 3, lines 6-7 and Col. 8, lines 57-67)

Chaganti does not explicitly disclose exclusively linking the personal database and the related information database, and identifying and verifying the individual via the unique encrypted identifiers and interrelating the individual's medical information with the unique encrypted identifiers.

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Koo in analogous art, however, discloses exclusively linking the personal database and the related information database, (Col. 7, lines 14-18) and identifying and verifying the individual via the unique encrypted identifiers and interrelating the individual's medical information with the unique encrypted identifiers. (Col. 3, lines 13-18)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Chaganti to exclusively linking the personal database and the related information database, and identifying and verifying the individual via the unique encrypted identifiers and interrelating the individual's medical information with the unique encrypted identifiers. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Koo (Col. 6, lines 39-44) in order to protect medical records by limiting access to users with proper identification code.

As per claim 22:

Chaganti and Koo teach all the subject matter as discussed above. In addition, Koo further discloses a system comprising storing interrelations of the unique encrypted identifiers with the individual's exclusive medical information and providing instant access to the user after verifying the identifiers. (Col. 2, lines 44-47 and lines 66-67; Col. 3, line 1 and lines 13-21)

As per claim 23:

Chaganti teaches a medical records universal access system comprising encoding and decoding user identifiers, (Col. 10, lines 3-5) storing the identifiers in a database, (Col. 9, lines 52-53) inputting and storing medical information in the database by a user, (Col. 8, lines 42-56) allowing the user to globally access the medical information using the user identifiers and allowing the user to edit, change, remove, modify and augment the medical information in real-time. (Col. 3, lines 6-7; Col. 8, lines 57-67)

Chaganti does not explicitly disclose exclusively linking particular user identifiers only to the user's stored medical information.

Koo in analogous art, however, discloses exclusively linking particular user identifiers only to the user's stored medical information. (Col. 7, lines 14-18)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Chaganti to include exclusively linking particular user identifiers only to the user's stored medical information. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Koo (Col. 6, lines 39-44) in order to protect medical records by limiting access to users with proper identification code.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti et al. (hereinafter Chaganti) United States Letter Patent Number 6,845,448 in view of Koo et al. (hereinafter Koo) United States Letter Patent Number 6,874,085 further in view of Kwok et al. (hereinafter Kwok) United States Letter Patent Number 6,829,711.

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As per claim 6:

Chaganti and Koo teach all the subject matter as discussed above. Both references do not explicitly disclose a method of storing the encryption code, password, alphanumeric ID number and the identifier number in the user database.

Kwok in analogous art, however, discloses a method of storing the encryption code, password, alphanumeric ID number and the identifier number in the user database. (Abstract; Col. 2, lines 64-65)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Chaganti and Koo to include storing the encryption code, password, alphanumeric ID number and the identifier number in the user database. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Kwok (Abstract) in order to validate the user before accessing a database using anyone of the password, ID or encryption code.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shewaye Gelagay *SG*  
Examiner  
Art Unit 2133

04/01/05

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